FILED
MAY - 2 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY EF DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. Cruz SANCHEZ-Almanza, Defendant.	Mag. Case No. '08 MJ 8369 COMPLAINT FOR VIOLATION OF: Title 8, U.S.C., Section 1326 Deported Alien Found In the United States

The undersigned complainant, being duly sworn, states:

On or about May 2, 2008, within the Southern District of California, defendant Cruz SANCHEZ-Almanza, an alien, who previously had been excluded, deported, or removed from the United States to Mexico was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States code, section 202(3) and (4) , and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

MARCO A. MIRANDA
Senior Patrol Agent

SWORN TO BEFORE AND SUBSCRIBED IN MY PRESENCE THIS 2ND DAY OF MAY 2008.

JAY R. IRWIN
United States Magistrate Judge

UNITED STATES OF AMERICA
v.
Cruz SANCHEZ-Almanza

STATEMENT OF FACTS

The complainant states that this complaint is based upon the statements of the apprehending Border Patrol Agent, B. Baxter, that the Defendant, Cruz SANCHEZ-Almanza, was found and arrested on May 2, 2008, east of the Calexico, California.

U. S. Border Patrol Agent Baxter was performing his assigned Border Patrol duties approximately 32 miles east of Calexico and observed footprints across the United States/Mexico International Border. Agent Baxter followed the footprints north and located an individual later identified as, Cruz SANCHEZ-Almanza. Agent Baxter identified himself as a United States Border Patrol Agent and questioned SANCHEZ-Almanza as to his immigration status to be in the United States. SANCHEZ-Almanza stated he was a citizen of Mexico and illegally in the United States. SANCHEZ-Almanza was placed under arrest.

Records check revealed an Immigration Judge ordered SANCHEZ-Almanza deported to Mexico from the United States on April 22, 2004. Record checks also revealed SANCHEZ-Almanza has an extensive criminal history.

There is no evidence SANCHEZ-Almanza has sought or received permission from the Attorney General or the Secretary of the Department of Homeland Security to re-enter the United States.